



January 22, 2016

SENATE BILL No. 251

DIGEST OF SB 251 (Updated January 20, 2016 2:53 pm - DI 116)

Citations Affected: IC 20-20; noncode.

Synopsis: Indiana out of school time learning fund. Creates the Indiana out of school time learning fund to fund before and after school programs operated through schools. Provides that the department of education administers the fund. Establishes the out of school time learning advisory board for a three year period. Provides for ex officio members and members appointed by the secretary of the family and social services administration and the state superintendent of public instruction. Provides that the advisory board considers and reports on existing out of school time programs and recommends to the department and general assembly policies, procedures, funding levels, and eligibility criteria. Provides that the department decides upon grant recipients from the fund. Requires the advisory board to make an initial report to the general assembly before November 1, 2016.

Effective: Upon passage; July 1, 2016.

Kruse, Grooms, Yoder

January 7, 2016, read first time and referred to Committee on Education & Career Development.
January 21, 2016, amended, reported favorably — Do Pass.

SB 251—LS 6908/DI 71



January 22, 2016

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 251

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-20-42 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]:
4 **Chapter 42. Indiana Out of School Time Learning Fund**
5 **Sec. 1. As used in this chapter, "board" refers to the out of**
6 **school time learning advisory board established by section 6 of this**
7 **chapter.**
8 **Sec. 2. As used in this chapter, "fund" refers to the Indiana out**
9 **of school time learning fund established by section 5 of this**
10 **chapter.**
11 **Sec. 3. As used in this chapter, "out of school time" refers to any**
12 **time school is not in session, including before school, after school,**
13 **breaks, and vacations.**
14 **Sec. 4. As used in this chapter, "out of school time program"**
15 **means a structured program that offers enrichment and academic**
16 **activities primarily for students in kindergarten through grade 12**
17 **in a school or community based setting.**

SB 251—LS 6908/DI 71



1 **Sec. 5. (a) The Indiana out of school time learning fund is**
 2 **established to provide funding for improving access to, and the**
 3 **quality and affordability of, out of school time programs so that**
 4 **students may participate and the programs may:**

5 **(1) increase health and safety;**
 6 **(2) provide academic enrichment and youth development; and**
 7 **(3) support economic and workforce development;**
 8 **throughout Indiana.**

9 **(b) The fund shall be administered by the department.**

10 **(c) The fund consists of:**

- 11 **(1) appropriations;**
 12 **(2) gifts and bequests;**
 13 **(3) fees deposited in the fund by law; and**
 14 **(4) grants received from private sources.**

15 **(d) The expenses of administering the fund shall be paid from**
 16 **money in the fund.**

17 **(e) The treasurer of state shall invest the money in the fund not**
 18 **currently needed to meet the obligations of the fund in the same**
 19 **manner as other public money may be invested.**

20 **(f) Money in the fund at the end of a state fiscal year does not**
 21 **revert to the state general fund.**

22 **Sec. 6. (a) The out of school time learning advisory board is**
 23 **established to recommend to the department and the general**
 24 **assembly procedures, policies, funding levels, and eligibility**
 25 **criteria for out of school time programs.**

26 **(b) The board is composed of at least the following members:**

- 27 **(1) The state superintendent or the state superintendent's**
 28 **designee, who serves as chairperson of the board.**
 29 **(2) The secretary of the family and social services**
 30 **administration or the secretary's designee.**
 31 **(3) The commissioner of the department of workforce**
 32 **development or the commissioner's designee.**
 33 **(4) The commissioner of the commission for higher education**
 34 **or the commissioner's designee.**
 35 **(5) A direct services provider appointed by the secretary of**
 36 **the family and social services administration.**
 37 **(6) The following individuals appointed by the state**
 38 **superintendent:**
 39 **(A) A direct services provider.**
 40 **(B) A superintendent who is nominated by a statewide**
 41 **association of public school superintendents.**
 42 **(C) A principal who is nominated by a statewide**



1 association of school principals.

2 (D) A governing body member who is nominated by a
3 statewide association of school boards.

4 (E) A teacher who is nominated by the largest statewide
5 teachers' association.

6 (F) A teacher who is nominated by the second largest
7 statewide teachers' association.

8 (G) A member of a statewide afterschool program network
9 who is nominated by the network.

10 (H) A member of a statewide parents' organization who is
11 nominated by the organization.

12 Additional members may be appointed by the state superintendent
13 or the secretary of the family and social services administration. In
14 addition, the board may consult with other individuals who are not
15 members of the board.

16 (c) The board shall meet at least two (2) times each year. The
17 chairperson may call additional meetings.

18 (d) The department shall provide staff for the board.

19 (e) In making recommendations to the department and the
20 general assembly, the board shall consider at least the following:

21 (1) Existing data and research concerning best practices for
22 out of school programs.

23 (2) Current and proposed future access to, quality of, and
24 affordability of out of school programs.

25 (3) Collaboration between agencies and coordination of
26 existing resources.

27 (4) The need for out of school programs to address college and
28 career readiness and academic standards.

29 (5) Existing statutory and regulatory provisions and the
30 possibility of recommending amendments to statutes and
31 rules.

32 (f) The board may make recommendations to the department
33 concerning the form of grants from the fund and qualifications to
34 receive grants. However, the department shall determine the
35 recipients of grants.

36 (g) The board shall make an initial report to the general
37 assembly and the legislative council not later than November 1,
38 2016. The report must be made in an electronic format under
39 IC 5-14-6.

40 (h) This section expires June 30, 2019.

41 Sec. 7. The state board shall adopt rules under IC 4-22-2 to
42 implement this chapter.



1 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The definitions
2 in IC 20 apply throughout this SECTION.

3 (b) The state superintendent and the secretary of the family and
4 social services administration shall make the appointments
5 required under IC 20-20-42-6(b), as added by the act, not later
6 than July 1, 2016. The chairperson shall call the initial meeting of
7 the out of school time learning advisory board not later than
8 August 1, 2016.

9 (c) This SECTION expires December 31, 2016.

10 SECTION 3. An emergency is declared for this act."



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 251, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Page 1, line 4, delete "After" and insert "**Indiana Out of**".

Page 1, line 4, delete "Network Program" and insert "**Time Learning**".

Page 1, line 5, delete "after" and insert "**out of**".

Page 1, line 6, delete "network program" and insert "**time learning advisory**".

Page 1, line 6, delete "5" and insert "**6**".

Page 1, line 7, delete "after" and insert "**Indiana out of**".

Page 1, line 8, delete "network program" and insert "**time learning**".

Page 1, line 8, delete "3" and insert "**5**".

Page 1, between lines 8 and 9, begin a new paragraph and insert:

"Sec. 3. As used in this chapter, "out of school time" refers to any time school is not in session, including before school, after school, breaks, and vacations.

Sec. 4. As used in this chapter, "out of school time program" means a structured program that offers enrichment and academic activities primarily for students in kindergarten through grade 12 in a school or community based setting."

Page 1, line 9, delete "3." and insert "**5**".

Page 1, line 9, delete "after" and insert "**Indiana out of**".

Page 1, line 9, delete "network program" and insert "**time learning**".

Page 1, line 10, delete "fund before and after school programs" and insert "**provide funding for improving access to, and the quality and affordability of, out of school time programs so that students may participate and the programs may:**

(1) increase health and safety;

(2) provide academic enrichment and youth development; and

(3) support economic and workforce development;".

Page 1, line 10, beginning with "throughout" begin a new line blocked left.

Page 1, line 16, delete "the federal government or".

Page 2, delete lines 8 through 37, begin a new paragraph and insert:



"Sec. 6. (a) The out of school time learning advisory board is established to recommend to the department and the general assembly procedures, policies, funding levels, and eligibility criteria for out of school time programs.

(b) The board is composed of at least the following members:

(1) The state superintendent or the state superintendent's designee, who serves as chairperson of the board.

(2) The secretary of the family and social services administration or the secretary's designee.

(3) The commissioner of the department of workforce development or the commissioner's designee.

(4) The commissioner of the commission for higher education or the commissioner's designee.

(5) A direct services provider appointed by the secretary of the family and social services administration.

(6) The following individuals appointed by the state superintendent:

(A) A direct services provider.

(B) A superintendent who is nominated by a statewide association of public school superintendents.

(C) A principal who is nominated by a statewide association of school principals.

(D) A governing body member who is nominated by a statewide association of school boards.

(E) A teacher who is nominated by the largest statewide teachers' association.

(F) A teacher who is nominated by the second largest statewide teachers' association.

(G) A member of a statewide afterschool program network who is nominated by the network.

(H) A member of a statewide parents' organization who is nominated by the organization.

Additional members may be appointed by the state superintendent or the secretary of the family and social services administration. In addition, the board may consult with other individuals who are not members of the board."

Page 2, line 38, delete "(f)" and insert "(c)".

Page 2, line 40, delete "(g)" and insert "(d)".

Page 2, line 40, after "board." delete "The".

Page 2, delete lines 41 through 42.

Page 3, delete lines 1 through 2.

Page 3, line 3, delete "(h) The" and insert "(e) In making



recommendations to the department and the general assembly, the".

Page 3, line 3, delete "do" and insert "**consider at least**".

Page 3, delete lines 4 through 32, begin a new line block indented and insert:

"(1) Existing data and research concerning best practices for out of school programs.

(2) Current and proposed future access to, quality of, and affordability of out of school programs.

(3) Collaboration between agencies and coordination of existing resources.

(4) The need for out of school programs to address college and career readiness and academic standards.

(5) Existing statutory and regulatory provisions and the possibility of recommending amendments to statutes and rules.

(f) The board may make recommendations to the department concerning the form of grants from the fund and qualifications to receive grants. However, the department shall determine the recipients of grants.

(g) The board shall make an initial report to the general assembly and the legislative council not later than November 1, 2016. The report must be made in an electronic format under IC 5-14-6.

(h) This section expires June 30, 2019."

Page 3, line 33, delete "6." and insert "7."

Page 3, delete lines 35 through 39, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The definitions in IC 20 apply throughout this SECTION.

(b) The state superintendent and the secretary of the family and social services administration shall make the appointments required under IC 20-20-42-6(b), as added by the act, not later than July 1, 2016. The chairperson shall call the initial meeting of the out of school time learning advisory board not later than August 1, 2016.



(c) This SECTION expires December 31, 2016.

SECTION 3. An emergency is declared for this act."

and when so amended that said bill do pass.

(Reference is to SB 251 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 10, Nays 1.

